

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF BIG	)	
RIVERS ELECTRIC CORPORATION FOR	)	CASE NO.
ENFORCEMENT OF RATE AND SERVICE	)	2019-00269
STANDARDS	)	

NOTICE OF FILING

Notice is given to all parties that the following materials have been filed into the record of this proceeding:

- The digital video recording of the evidentiary hearing conducted on October 22, 2020 in this proceeding;
- Certification of the accuracy and correctness of the digital video recording;
- A written log listing, inter alia, the date and time of where each witness' testimony begins and ends on the digital video recording of the evidentiary hearing conducted on October 22, 2020.

A copy of this Notice, the certification of the digital video record, and hearing log have been served upon all persons listed at the end of this Notice. Parties desiring to view the digital video recording of the hearing may do so at <https://youtu.be/KAelBcQmojA>.

Parties wishing an annotated digital video recording may submit a written request by electronic mail to [pscfilings@ky.gov](mailto:pscfilings@ky.gov). A minimal fee will be assessed for a copy of this recording.

Done at Frankfort, Kentucky, this 29<sup>th</sup> day of October 2020.



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Lindsey L. Flora  
Deputy Executive Director  
Public Service Commission of Kentucky

COMMONWEALTH OF KENTUCKY  
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ELECTRONIC APPLICATION OF BIG RIVERS	)	
ELECTRIC CORPORATION FOR	)	CASE NO.
ENFORCEMENT OF RATE AND SERVICE	)	2019-00269
STANDARDS	)	

CERTIFICATION

I, Candace H. Sacre, hereby certify that:

1. The attached DVD contains a digital recording of the Formal Hearing conducted in the above-styled proceeding on October 22, 2020. The Formal Hearing Log is included with the recording on October 22, 2020;
2. I am responsible for the preparation of the digital recording;
3. The digital recording accurately and correctly depicts the Formal Hearing of October 22, 2020; and
4. The Formal Hearing Log attached to this Certificate accurately and correctly states the events that occurred at the Formal Hearing of October 22, 2020, and the time at which each occurred.

Signed this 29<sup>th</sup> day of October, 2020.



Candace H. Sacre  
Administrative Specialist III



Stephanie Schweighardt  
Notary Public State at Large ID#: 614400  
Commission Expires: January 14, 2023



Date:	Type:	Location:	Department:
10/22/2020	Public Hearing\Public Comments	Hearing Room 1	Hearing Room 1 (HR 1)

Witness: Robert W. Berry; Brad Bickett; Seth W. Brown; Michael W. Chambliss; Mark J. Eacret; Christopher Heimgartner; Jeffrey T. Kopp; Barbara Moll; Michael T. Pullen; Paul G. Smith  
 Judge: Talina Mathews; Michael Schmitt  
 Clerk: Candace Sacre

Event Time	Log Event	
9:06:58 AM	Session Started	
9:08:19 AM	Chairman Schmitt Note: Sacre, Candace	Calling Case No. 2019-00269, Application of Big Rivers Electric Corporation for Enforcement of Rate and Service Standards.
9:08:31 AM	Chairman Schmitt Note: Sacre, Candace	Introduction of Commissioners and recusal of Vice Chairman Chandler.
9:08:59 AM	Chairman Schmitt Note: Sacre, Candace	Virtual hearing/COVID-19 protocols and suggestions.
9:11:54 AM	Chairman Schmitt Note: Sacre, Candace	Purpose of hearing to take evidence in 2019-00269.
9:12:08 AM	Chairman Schmitt Note: Sacre, Candace	Parties are Big Rivers Electric Corporation, City of Henderson, and Henderson Utility Commission d/b/a Henderson Municipal Power and Light.
9:12:18 AM	Chairman Schmitt Note: Sacre, Candace	Counsel for Big Rivers identify self, co-counsel, his client, witnesses?
9:12:33 AM	Atty Kamuf BREC Note: Sacre, Candace	Tyson Kamuf, corporate attorney for BREC; in-house attorneys, Craig Mayes and Cynthia Santana; co-counsel Mike Kurtz, Boehm Kurtz & Lowry; and associates Jody Cohn and Kurt Boehm. Witnesses: CEO Bob Berry, CFO Paul Smith, VP Operations Mike Chambliss, VP Energy Mark Eacret, Exec VP Operations Mike Pullen, Jeff Kopp.
9:13:47 AM	Chairman Schmitt Note: Sacre, Candace	Counsel for City of Henderson and Henderson Utility Commission identify himself, co-counsel, clients, witnesses?
9:14:05 AM	Atty Redding Henderson Note: Sacre, Candace	Randall Redding, represent Henderson Municipal Power and Light and City of Henderson; co-counsel John Hughes and Sharon Farmer, watching live. Witnesses: GM HMP&L Chris Heimgartner, Barbara Moll, CFO HMP&L, Compliance Officer Brad Bickett, and, by remote, Chris Dawson, Seth Brown.
9:15:44 AM	Chairman Schmitt Note: Sacre, Candace	Counsel for Commission Staff, identify himself, co-counsel?
9:15:52 AM	Asst Gen Counsel Nguyen PSC Note: Sacre, Candace	Quang Nguyen and Ben Bellamy, attending remotely, on behalf of the Commission.
9:16:00 AM	Chairman Schmitt Note: Sacre, Candace	Outstanding motions, confidentiality motions, ruled upon after hearing. Confidentiality instructions.

9:16:43 AM	Chairman Schmitt Note: Sacre, Candace	Motions by HMP&L and City, Motion to File Amended Testimony of Heimgartner, Motion to File Second Amended Direct Testimony of Heimgartner, and Motion to File Amended Testimony of Barbara Moll and to Amend Exhibit10.2020. Objection?
9:17:29 AM	Atty Kamuf BREC Note: Sacre, Candace	Big Rivers, no objection.
9:17:31 AM	Chairman Schmitt Note: Sacre, Candace	All those motions sustained.
9:17:36 AM	Chairman Schmitt Note: Sacre, Candace	Other motions?
9:17:49 AM	Chairman Schmitt Note: Sacre, Candace	Public notice given and filed in record, correct?
9:18:03 AM	Atty Kamuf BREC Note: Sacre, Candace	Correct.
9:18:06 AM	Chairman Schmitt Note: Sacre, Candace	Open for public comment, instructions.
9:20:04 AM	Chairman Schmitt Note: Sacre, Candace	No public comment.
9:20:15 AM	Chairman Schmitt Note: Sacre, Candace	Begin with Big Rivers calling its witness, procedures.
9:20:58 AM	Chairman Schmitt Note: Sacre, Candace	Mr. Kamuf or Mr. Kurtz, call first witness?
9:21:06 AM	Atty Kamuf BREC Note: Sacre, Candace	BREC calls CEO Robert Berry.
9:21:20 AM	Chairman Schmitt Note: Sacre, Candace	Witness is sworn.
9:21:38 AM	Atty Kurtz BREC - witness Berry Note: Sacre, Candace	Direct Examination. Name and business title?
9:21:55 AM	Atty Kurtz BREC - witness Berry Note: Sacre, Candace	Direct/rebuttal testimony?
9:22:04 AM	Atty Kurtz BREC - witness Berry Note: Sacre, Candace	If to ask same questions, answers be same?
9:22:11 AM	Atty Kurtz BREC - witness Berry Note: Sacre, Candace	Additions, corrections?
9:24:25 AM	Atty Kurtz BREC - witness Berry Note: Sacre, Candace	Conclude summation?
9:24:28 AM	Atty Kurtz BREC Note: Sacre, Candace	Witness tendered for cross.
9:24:32 AM	Chairman Schmitt Note: Sacre, Candace	Mr. Redding, cross?
9:24:38 AM	Atty Redding Henderson - witness Berry Note: Sacre, Candace	Cross Examination. Understanding testimony presented recalculated/adjusted waste Green Landfill?
9:25:25 AM	Atty Redding Henderson - witness Berry Note: Sacre, Candace	BREC recalculating appropriate amount of waste in Green Landfill relating to Green Station prior to 1995?
9:26:10 AM	Atty Redding Henderson - witness Berry Note: Sacre, Candace	Dispute revenue associated June 2016 and December 2017, unwanted energy revenue period?
9:26:45 AM	Atty Redding Henderson - witness Berry Note: Sacre, Candace	Dispute between parties revenue June 2016 and December 2017?

9:27:30 AM	Atty Redding Henderson - witness Berry Note: Sacre, Candace	Agree 2016 filing BREC Application addressed unwanted, unprofitable energy?
9:28:09 AM	Atty Redding Henderson - witness Berry Note: Sacre, Candace	When filed petition 2016, defined proceedings before Commission unwanted or unprofitable energy. Sworn testimony to Commission?
9:29:10 AM	Atty Redding Henderson - witness Berry Note: Sacre, Candace	Position BREC takes but aware Henderson disagrees?
9:29:25 AM	Atty Redding Henderson - witness Berry Note: Sacre, Candace	Hearing 2016, represented to PSC if Henderson accepted variable cost entitled to revenue from unwanted excess Henderson energy to offset costs?
9:30:20 AM	Atty Redding Henderson - witness Berry Note: Sacre, Candace	In 2018 issued ruling addressing responsibility of variable costs unwanted excess Henderson energy, record before Commission represented Henderson entitled to energy?
9:30:52 AM	Atty Redding Henderson - witness Berry Note: Sacre, Candace	At no time advised Commission Henderson no longer entitled to revenue excess Henderson energy under 2016 declaratory action request?
9:31:11 AM	Atty Redding Henderson - witness Berry Note: Sacre, Candace	At no time amend testimony, advise PSC Henderson no longer entitled to revenue in declaratory judgment action request?
9:31:36 AM	Atty Redding Henderson - witness Berry Note: Sacre, Candace	If did, supplement into record?
9:31:46 AM	Atty Redding Henderson - witness Berry Note: Sacre, Candace	If do not supplement, assume did not advise Commission that?
9:32:08 AM	Atty Redding Henderson - witness Berry Note: Sacre, Candace	Either advise or did not?
9:32:22 AM	Atty Redding Henderson - witness Berry Note: Sacre, Candace	BREC June 2016 - December 2017, revenue of \$10,000,696 on unwanted excess Henderson energy?
9:33:12 AM	Atty Redding Henderson - witness Berry Note: Sacre, Candace	In filings, state BREC made payment, who funded?
9:33:30 AM	Atty Redding Henderson - witness Berry Note: Sacre, Candace	E.ON reimburse BREC?
9:34:00 AM	Atty Redding Henderson - witness Berry Note: Sacre, Candace	E.ON reimburse \$6.2 million referencing in testimony?
9:34:26 AM	Atty Redding Henderson - witness Berry Note: Sacre, Candace	How much E.ON pay?
9:34:43 AM	Atty Redding Henderson - witness Berry Note: Sacre, Candace	During disputed time period, June 2016 through December 2017, BREC also sold profitable energy, receive revenue?
9:35:09 AM	Atty Redding Henderson - witness Berry Note: Sacre, Candace	Profit, according to Smith testimony, \$2.48 million?
9:35:29 AM	Atty Redding Henderson - witness Berry Note: Sacre, Candace	Variable cost presented time period unwanted excess energy \$10,000,688?
9:36:04 AM	Atty Redding Henderson - witness Berry Note: Sacre, Candace	Party to 2009 civil action subject matter relief referencing?
9:36:25 AM	Atty Redding Henderson - witness Berry Note: Sacre, Candace	Complaint asked BREC to disgorge of revenues from profitable excess Henderson energy?

9:37:20 AM	Atty Redding Henderson - witness Berry Note: Sacre, Candace	Specifically referenced profitable excess energy, couldn't sue for negative?
9:38:05 AM	Atty Redding Henderson - witness Berry Note: Sacre, Candace	Aware civil action only request for damages profitable excess energy revenues BREC received?
9:38:32 AM	Atty Redding Henderson - witness Berry Note: Sacre, Candace	Assuming correct, aware relief specific release only apply to 09-CI-693 damages suit, filed with PSC?
9:40:40 AM	Atty Redding Henderson Note: Sacre, Candace	Objection, self-serving testimony.
9:40:54 AM	Atty Redding Henderson - witness Berry Note: Sacre, Candace	Read release/pull release, specifically says shall relate and be to damages claimed in 09-CI-093, objection language in release?
9:41:44 AM	Atty Redding Henderson - witness Berry Note: Sacre, Candace	Calculations BREC presenting to PSC accept and disregard dispute, asking Commission BREC receive \$10 million excess Henderson energy revenue June 2016 thru December 2017?
9:42:32 AM	Atty Redding Henderson - witness Berry Note: Sacre, Candace	Asking Commission to keep revenue?
9:42:46 AM	Atty Redding Henderson - witness Berry Note: Sacre, Candace	Also asking to keep \$2.4 million profitable energy?
9:43:36 AM	Atty Redding Henderson - witness Berry Note: Sacre, Candace	Contrary Order 2018, asking Henderson pay variable cost of \$10 million, BREC keep revenue of \$10 million unwanted excess Henderson energy, Henderson write off \$3.5 million coal?
9:44:25 AM	Atty Redding Henderson - witness Berry Note: Sacre, Candace	If Commission believed release limited to profitable energy, Henderson entitled revenues set off against variable cost represented in 2016 hearing?
9:44:57 AM	Atty Redding Henderson - witness Berry Note: Sacre, Candace	If Commission finds release limited profitable energy 2009 civil action, Henderson entitled revenues unwanted excess Henderson energy 2016 hearing?
9:45:54 AM	Atty Redding Henderson - witness Berry Note: Sacre, Candace	Continue to ask, if Commission finds release not apply to unwanted excess Henderson energy, Henderson entitled to revenues offset variable costs?
9:46:20 AM	Atty Kurtz BREC Note: Sacre, Candace	Objection, asked and answered, misconstrues release agreement.
9:46:39 AM	Chairman Schmitt Note: Sacre, Candace	Other testimony, question of interpretation, question asked and answered. Mr. Redding, understand point, move along.
9:47:08 AM	Atty Redding Henderson Note: Sacre, Candace	All I have.
9:47:11 AM	Chairman Schmitt Note: Sacre, Candace	Mr. Nguyen?
9:47:14 AM	Asst Gen Counsel Nguyen PSC Note: Sacre, Candace	A few.
9:47:19 AM	Asst Gen Counsel Nguyen PSC - witness Berry Note: Sacre, Candace	Cross Examination. Rebuttal, page 12 of 30, middle of page, identify facility/assets Station Two recommissioned first. Able now or post-hearing data request?
9:49:27 AM	POST-HEARING DATA REQUEST Note: Sacre, Candace	ASST GEN COUNSEL NGUYEN PSC - WITNESS BERRY

9:49:37 AM	Note: Sacre, Candace Asst Gen Counsel Nguyen PSC - witness Berry Note: Sacre, Candace	FACILITIES AT STATION TWO DECOMMISSIONED FIRST CCR rule, impact Station Two ash pond. Any other facilities impacted?
9:50:08 AM	Asst Gen Counsel Nguyen PSC - witness Berry Note: Sacre, Candace	Spill Prevention Control and Counter-Measure Plan?
9:50:56 AM	Asst Gen Counsel Nguyen PSC - witness Berry Note: Sacre, Candace	NPDES?
9:51:27 AM	Asst Gen Counsel Nguyen PSC - witness Berry Note: Sacre, Candace	Other facilities accept runoffs other than ash pond?
9:51:47 AM	Asst Gen Counsel Nguyen PSC - witness Berry Note: Sacre, Candace	Decommission, mean? Fully retired according to regulation?
9:52:10 AM	Asst Gen Counsel Nguyen PSC - witness Berry Note: Sacre, Candace	Pursuant to regulation?
9:52:18 AM	Asst Gen Counsel Nguyen PSC - witness Berry Note: Sacre, Candace	Asbestos standards?
9:53:16 AM	Asst Gen Counsel Nguyen PSC - witness Berry Note: Sacre, Candace	Station Two retired in place, asbestos be roped off, segregated, contained?
9:54:32 AM	Asst Gen Counsel Nguyen PSC - witness Berry Note: Sacre, Candace	Entire station cordoned off?
9:54:56 AM	Asst Gen Counsel Nguyen PSC - witness Berry Note: Sacre, Candace	Surface Mining Control Reclamation Act, what facilities/assets be addressed?
9:55:22 AM	Asst Gen Counsel Nguyen PSC - witness Berry Note: Sacre, Candace	Resource Conservation Recovery Act, which facilities impacted?
9:55:40 AM	Asst Gen Counsel Nguyen PSC - witness Berry Note: Sacre, Candace	Projected/estimated cost compliance measures related to regulations/statute, post-hearing data request?
9:55:44 AM	POST-HEARING DATA REQUEST Note: Sacre, Candace Note: Sacre, Candace	ASST GEN COUNSEL NGUYEN PSC - WITNESS BERRY ESTIMATED COST ASSOCIATED WITH EACH COMPLIANCE MEASURE
9:56:18 AM	Asst Gen Counsel Nguyen PSC - witness Berry Note: Sacre, Candace	Pg 13, rebuttal, lines 21-22, Henderson choose abandon Station Two, Henderson assumes costs EPA penalties. Mean by abandoned?
9:57:49 AM	Asst Gen Counsel Nguyen PSC - witness Berry Note: Sacre, Candace	Obligation flows from ownership?
9:58:02 AM	Asst Gen Counsel Nguyen PSC - witness Berry Note: Sacre, Candace	Other EPA penalties covered other than potential violation of CCR rule?
9:58:58 AM	Asst Gen Counsel Nguyen PSC - witness Berry Note: Sacre, Candace	Similar to CCR rule, obligation belonging to owner?
9:59:13 AM	Asst Gen Counsel Nguyen PSC - witness Berry Note: Sacre, Candace	Your position, position based upon regulations, statutes, or what based upon?
9:59:28 AM	Asst Gen Counsel Nguyen PSC - witness Berry Note: Sacre, Candace	Pg 15, rebuttal, lines 10-14, reading (Click on link for further comments.) Detail support clean up of Station Two after operating life contemplated 1993 amendments?
10:01:26 AM	Asst Gen Counsel Nguyen PSC - witness Berry Note: Sacre, Candace	Prior 1993 amendments, nothing Station Two contracts require BREC obligated to decommissioning costs?
10:01:54 AM	Asst Gen Counsel Nguyen PSC - witness Berry Note: Sacre, Candace	1993 amendments, after extension of Station Two contracts?

10:02:48 AM Asst Gen Counsel Nguyen PSC - witness Berry  
Note: Sacre, Candace Decommissioning costs allocation raised by City or BREC anticipating when Station Two retired and costs?

10:03:28 AM Asst Gen Counsel Nguyen PSC - witness Berry  
Note: Sacre, Candace Absorbment all costs, Henderson continue retirement in place, obligation solely upon City?

10:03:50 AM Asst Gen Counsel Nguyen PSC - witness Berry  
Note: Sacre, Candace In contract, no provision retirement in place; absent that, Henderson obligated retirement in place costs?

10:05:28 AM Asst Gen Counsel Nguyen PSC - witness Berry  
Note: Sacre, Candace Pg 23, rebuttal, lines 1-4, expansion of Green Station Landfill driven by accumulation of Station Two waste?

10:07:23 AM Asst Gen Counsel Nguyen PSC - witness Berry  
Note: Sacre, Candace Line 3-4, rebuttal, but for accumulation of City's waste, vertical expansion not necessary?

10:08:11 AM Asst Gen Counsel Nguyen PSC - witness Berry  
Note: Sacre, Candace Recalculations amount Station Two waste in Green Station Landfill?

10:09:32 AM Asst Gen Counsel Nguyen PSC - witness Berry  
Note: Sacre, Candace Station Two waste 10 percent volume Green Station Landfill, currently or over time?

10:10:44 AM Asst Gen Counsel Nguyen PSC - witness Berry  
Note: Sacre, Candace Total Station Two waste, include energy taken by BREC, more than 10 percent?

10:11:13 AM Asst Gen Counsel Nguyen PSC - witness Berry  
Note: Sacre, Candace Total amount of Station Two significantly more than 10 percent, BREC took majority energy, more than half, produced by Station Two?

10:12:03 AM Asst Gen Counsel Nguyen PSC - witness Berry  
Note: Sacre, Candace Lines 5-9, pg 23, rebuttal, cost comparison to dispose Green Station, off-site commercial landfill, savings \$3.1 million since 2015. Based upon nearby commercial landfill, provide information basis of comparison?

10:13:57 AM Asst Gen Counsel Nguyen PSC - witness Berry  
Note: Sacre, Candace Market price, \$6 per ton?

10:14:29 AM Asst Gen Counsel Nguyen PSC - witness Berry  
Note: Sacre, Candace Derivation \$6 per ton trucking, new landfill, trucking off site?

10:14:53 AM Asst Gen Counsel Nguyen PSC - witness Berry  
Note: Sacre, Candace Nearby existing landfills take waste?

10:15:17 AM Asst Gen Counsel Nguyen PSC - witness Berry  
Note: Sacre, Candace Fell within \$6 per ton?

10:15:30 AM Asst Gen Counsel Nguyen PSC - witness Berry  
Note: Sacre, Candace Pg 24, rebuttal, lines 14-15, BREC legally prohibited taking title Station Two waste, Green Station Landfill permit, explanation why not able take title Station Two waste?

10:16:53 AM Asst Gen Counsel Nguyen PSC - witness Berry  
Note: Sacre, Candace Permit specifies owner waste accepted Green Station Landfill?

10:17:50 AM Asst Gen Counsel Nguyen PSC - witness Berry  
Note: Sacre, Candace Direct testimony, pg 17-18, compare residential customer rates for City v three BREC distribution cooperatives, typical monthly bill \$84.90 Henderson, Jackson Purchase \$117.18, Kenergy \$120.24, Meade \$114.82?

10:19:40 AM Asst Gen Counsel Nguyen PSC - witness Berry  
Note: Sacre, Candace See comparison?

10:19:46 AM	Asst Gen Counsel Nguyen PSC - witness Berry Note: Sacre, Candace	Pg 18, discrepancy due BREC borne costs Henderson obligated but refused to pay, additional information?
10:20:23 AM	Asst Gen Counsel Nguyen PSC - witness Berry Note: Sacre, Candace	Able to address now, or post-hearing data request?
10:20:57 AM	POST-HEARING DATA REQUEST Note: Sacre, Candace Note: Sacre, Candace	ASST GEN COUNSEL NGUYEN PSC - WITNESS BERRY OBLIGATION HENDERSON REFUSED TO PAY UNDER STATION TWO CONTRACTS CAUSING DISCREPANCY IN RATES
10:21:47 AM	Ass Gen Counsel Nguyen PSC Note: Sacre, Candace	All questions.
10:21:49 AM	Chairman Schmitt Note: Sacre, Candace	Commissioner Mathews, questions?
10:21:54 AM	Commissioner Mathews Note: Sacre, Candace	Don't have any.
10:21:58 AM	Chairman Schmitt Note: Sacre, Candace	Two or three.
10:22:00 AM	Chairman Schmitt - witness Berry Note: Sacre, Candace	Examination. Present, BREC position who owns Station Two, land, plant, equipment?
10:22:41 AM	Chairman Schmitt - witness Berry Note: Sacre, Candace	Henderson build/pay for Station Two?
10:23:38 AM	Chairman Schmitt - witness Berry Note: Sacre, Candace	All permits name of BREC?
10:23:50 AM	Chairman Schmitt - witness Berry Note: Sacre, Candace	Any permits in name of Henderson?
10:23:58 AM	Chairman Schmitt - witness Berry Note: Sacre, Candace	Green Landfill, legal title to property?
10:24:32 AM	Chairman Schmitt - witness Berry Note: Sacre, Candace	Rebuttal, difference residential electric rates Henderson and three cooperatives BREC serves, post-hearing data request provide specific info costs claim Henderson responsible but BREC paid. Costs?
10:27:33 AM	Chairman Schmitt Note: Sacre, Candace	Don' have further questions. Mr. Kurtz, before ask redirect, ask Mr. Redding any questions about cost differential Henderson/three rural cooperatives BREC costs?
10:28:01 AM	Atty Redding Henderson Note: Sacre, Candace	Reserve ability, properly respond. One question clarity.
10:28:17 AM	Atty Redding Henderson - witness Berry Note: Sacre, Candace	Recross Examination. In 2020, BREC not paying MISO fees on behalf of Henderson?
10:28:53 AM	Atty Redding Henderson - witness Berry Note: Sacre, Candace	Answer BREC not charged MISO fees on behalf of Henderson 2020?
10:29:16 AM	Chairman Schmitt Note: Sacre, Candace	Anything else, Mr. Redding?
10:29:22 AM	Atty Redding Henderson Note: Sacre, Candace	In Staff Nguyen subsequent data request, may have questions what BREC counsel ask.
10:29:39 AM	Chairman Schmitt Note: Sacre, Candace	Ten-minute break, recess until 20 minutes before 11.
10:30:05 AM	Session Paused	
10:41:13 AM	Session Resumed	
10:41:24 AM	Chairman Schmitt Note: Sacre, Candace	Back on the record.

10:41:53 AM	Chairman Schmitt Note: Sacre, Candace	Mr. Kurtz, redirect?
10:41:58 AM	Atty Kurtz BREC Note: Sacre, Candace	Yes, sir.
10:42:04 AM	Atty Kurtz BREC - witness Berry Note: Sacre, Candace	Redirect Examination. Rate differentials, Henderson three owners/members BREC?
10:42:15 AM	Atty Kurtz BREC - witness Berry Note: Sacre, Candace	Part of differential costs City should have paid but BREC paying?
10:42:27 AM	Atty Kurtz BREC - witness Berry Note: Sacre, Candace	Another part differential reason benefits City (inaudible) through contractual relationship with BREC?
10:42:41 AM	Atty Kurtz BREC - witness Berry Note: Sacre, Candace	Include use \$42 million scrubber, joint use facilities Green Station used Station Two?
10:42:53 AM	Atty Kurtz BREC - witness Berry Note: Sacre, Candace	Include use Green Landfill at cost?
10:42:58 AM	Atty Kurtz BREC - witness Berry Note: Sacre, Candace	Include standby capacity to City no charge?
10:43:06 AM	Atty Kurtz BREC - witness Berry Note: Sacre, Candace	Green Landfill tons?
10:43:15 AM	Atty Kurtz BREC - witness Berry Note: Sacre, Candace	Response, Staff Data Request 1-14, end 2019, City 2,618,667 tons scrubber sludge/ ash pond dredgings Green Landfill?
10:43:42 AM	Atty Kurtz BREC - witness Berry Note: Sacre, Candace	Their position no longer pay for storing 2.6 million tons in landfill?
10:43:53 AM	Atty Kurtz BREC - witness Berry Note: Sacre, Candace	Green Landfill retired, their position should not have to pay decommission 2.6 million tons?
10:44:04 AM	Atty Kurtz BREC - witness Berry Note: Sacre, Candace	Staff Counsel questions environmental rules apply different facilities Green/Reed Station Two complex?
10:44:17 AM	Atty Kurtz BREC - witness Berry Note: Sacre, Candace	Exhibit helpful to issues?
10:49:09 AM	Atty Kurtz BREC - witness Berry Note: Sacre, Candace	Recall questions counsel from City excess Henderson energy, release, etc?
10:49:21 AM	Atty Kurtz BREC - witness Berry Note: Sacre, Candace	Reserve 115 megawatts actual load 100, 15 megawatts excess Henderson energy for particular hour?
10:49:40 AM	Atty Kurtz BREC - witness Berry Note: Sacre, Candace	That hour, revenues received MISO market higher or lower than cost of Station Two?
10:49:53 AM	Atty Kurtz BREC - witness Berry Note: Sacre, Candace	July excess Henderson energy profitable/wanted, May unprofitable/unwanted?
10:50:10 AM	Atty Kurtz BREC - witness Berry Note: Sacre, Candace	Your position release all excess Henderson energy not just subset?
10:50:48 AM	Atty Kurtz BREC - witness Berry Note: Sacre, Candace	Reading release attached to Berry direct testimony, Exhibit 1. (Click on link for further comments.) When paid Henderson \$6.25 million, understanding forever resolved excess Henderson energy claims before Jan 4 2018?
10:54:48 AM	Atty Kurtz BREC Note: Sacre, Candace	No more questions.

10:54:50 AM	Chairman Schmitt Note: Sacre, Candace	Normally end examination of Berry, but, Mr. Redding, one more opportunity cross examine Berry only cost contributed to rates residential three rural electric cooperatives v Henderson. Solve info from data request, direct Staff Counsel not send data request for specific info. BREC chose not to provide info, no need to have that.
10:55:53 AM	Chairman Schmitt Note: Sacre, Candace	Mr. Redding, ask Berry additional questions limited costs discussed on redirect bearing on difference electric rates?
10:56:11 AM	Atty Redding Henderson Note: Sacre, Candace	No.
10:56:15 AM	Chairman Schmitt Note: Sacre, Candace	Witness excused?
10:56:20 AM	Atty Redding Henderson Note: Sacre, Candace	Yes.
10:56:24 AM	Chairman Schmitt Note: Sacre, Candace	Mr. Kurtz, Mr. Kamuf, next witness?
10:56:28 AM	Atty Kurtz BREC Note: Sacre, Candace	Call Jeff Kopp, remote.
10:57:05 AM	Chairman Schmitt Note: Sacre, Candace	Witness is sworn.
10:57:22 AM	Atty Kurtz BREC - witness Kopp Note: Sacre, Candace	Direct Examination. Name and business title?
10:57:38 AM	Atty Kurtz BREC - witness Kopp Note: Sacre, Candace	Direct/rebuttal testimony?
10:57:44 AM	Atty Kurtz BREC - witness Kopp Note: Sacre, Candace	By you or under supervision?
10:57:49 AM	Atty Kurtz BREC - witness Kopp Note: Sacre, Candace	If to ask same questions, answers be same?
10:57:54 AM	Atty Kurtz BREC - witness Kopp Note: Sacre, Candace	Corrections, additions?
10:58:09 AM	Atty Kurtz BREC Note: Sacre, Candace	Tender for cross.
10:58:12 AM	Chairman Schmitt Note: Sacre, Candace	Mr. Redding, cross?
10:58:16 AM	Atty Redding Henderson - witness Kopp Note: Sacre, Candace	Cross Examination. Not offering testimony as to fee simple/ title ownership Station Two plant, cooling towers?
10:58:31 AM	Atty Redding Henderson Note: Sacre, Candace	That's all.
10:58:35 AM	Chairman Schmitt Note: Sacre, Candace	Mr. Nguyen?
10:58:36 AM	Asst Gen Counsel Nguyen PSC Note: Sacre, Candace	No questions.
10:58:37 AM	Chairman Schmitt Note: Sacre, Candace	Commissioner Mathews?
10:58:41 AM	Commissioner Mathews Note: Sacre, Candace	I don't have any.
10:58:43 AM	Chairman Schmitt Note: Sacre, Candace	None.
10:58:45 AM	Chairman Schmitt Note: Sacre, Candace	Mr. Kopp excused?
10:58:50 AM	Chairman Schmitt Note: Sacre, Candace	Excused, Mr. Kopp.

10:59:04 AM	Chairman Schmitt Note: Sacre, Candace	Mr. Kurtz, another witness?
10:59:08 AM	Atty Kurtz BREC Note: Sacre, Candace	Call Michael Pullen.
10:59:26 AM	Chairman Schmitt Note: Sacre, Candace	Witness is sworn.
10:59:41 AM	Atty Kurtz BREC - witness Pullen Note: Sacre, Candace	Direct Examination. Name and business title?
10:59:51 AM	Atty Kurtz BREC - witness Pullen Note: Sacre, Candace	Direct/rebuttal testimony?
10:59:56 AM	Atty Kurtz BREC - witness Pullen Note: Sacre, Candace	If to ask same questions, answers be same?
11:01:59 AM	Atty Kurtz BREC - witness Pullen Note: Sacre, Candace	Tonnage amount associated 9.88 percent?
11:02:16 AM	Atty Kurtz BREC Note: Sacre, Candace	Continue.
11:04:00 AM	Atty Kurtz BREC Note: Sacre, Candace	Witness ready for cross.
11:04:04 AM	Chairman Schmitt Note: Sacre, Candace	Mr. Redding, cross exam?
11:04:08 AM	Atty Redding Henderson Note: Sacre, Candace	Yes.
11:04:11 AM	Atty Redding Henderson - witness Pullen Note: Sacre, Candace	Cross Examination. Statement Green permitting changed from statement BREC committed Henderson owner/operator of Station Two?
11:04:41 AM	Atty Redding Henderson - witness Pullen Note: Sacre, Candace	Ownership of Station Two/cooling towers pending dispute?
11:05:11 AM	Atty Redding Henderson - witness Pullen Note: Sacre, Candace	Denominator estimated? Numerator and denominator would be?
11:05:50 AM	Atty Redding Henderson - witness Pullen Note: Sacre, Candace	BREC continuing use Green Landfill asset?
11:06:00 AM	Atty Redding Henderson - witness Pullen Note: Sacre, Candace	Continue to put Green Station waste in landfill?
11:06:11 AM	Atty Redding Henderson - witness Pullen Note: Sacre, Candace	Lower number continue to increase?
11:07:20 AM	Atty Redding Henderson - witness Pullen Note: Sacre, Candace	No more Station Two after Feb 2019?
11:08:14 AM	Atty Redding Henderson - witness Pullen Note: Sacre, Candace	Today, since Feb 2019, not been any Station Two waste into Big Rivers Green Landfill?
11:08:38 AM	Atty Redding Henderson - witness Pullen Note: Sacre, Candace	BREC charged Henderson disposal fee through 2019 for waste Station Two?
11:09:37 AM	Atty Redding Henderson - witness Pullen Note: Sacre, Candace	Henderson paid bills?
11:10:05 AM	Atty Redding Henderson - witness Pullen Note: Sacre, Candace	Any bill presented for disposal paid?
11:10:30 AM	Atty Redding Henderson Note: Sacre, Candace	Just a minute?
11:10:32 AM	Chairman Schmitt Note: Sacre, Candace	Yes, you may.
11:11:06 AM	Atty Redding Henderson Note: Sacre, Candace	That's all.

11:11:08 AM Chairman Schmitt  
Note: Sacre, Candace Mr. Nguyen?

11:11:09 AM Asst Gen Counsel Nguyen PSC  
Note: Sacre, Candace Yes.

11:11:15 AM Asst Gen Counsel Nguyen PSC - witness Pullen  
Note: Sacre, Candace Cross Examination. Rebuttal, pg 5, Title V Operating Permit Green Station, issued July 12 2020?

11:11:52 AM Asst Gen Counsel Nguyen PSC - witness Pullen  
Note: Sacre, Candace Precipitated BREC obtain new air permit for Green Station?

11:12:27 AM Asst Gen Counsel Nguyen PSC - witness Pullen  
Note: Sacre, Candace Executive summary, ownership Station Two, solely City as well as sole operator. Language included by Air Quality and not BREC?

11:13:17 AM Asst Gen Counsel Nguyen PSC - witness Pullen  
Note: Sacre, Candace Why included by DAQ?

11:14:14 AM Asst Gen Counsel Nguyen PSC - witness Pullen  
Note: Sacre, Candace Station Two have/did have Title V operating permit?

11:14:26 AM Asst Gen Counsel Nguyen PSC - witness Pullen  
Note: Sacre, Candace No longer in effect?

11:14:51 AM Asst Gen Counsel Nguyen PSC - witness Pullen  
Note: Sacre, Candace Similar language Station Two air permit City ownership/operation?

11:15:23 AM Asst Gen Counsel Nguyen PSC - witness Pullen  
Note: Sacre, Candace Provide copy of Green Station Title V permit?

11:15:25 AM POST-HEARING DATA REQUEST  
Note: Sacre, Candace ASST GEN COUNSEL NGUYEN PSC - WITNESS PULLEN  
Note: Sacre, Candace COPY OF GREEN STATION TITLE V PERMIT

11:15:44 AM Asst Gen Counsel Nguyen PSC - witness Pullen  
Note: Sacre, Candace Access to Station Two Title V Permit?

11:15:52 AM Asst Gen Counsel Nguyen PSC - witness Pullen  
Note: Sacre, Candace Request that be provided?

11:15:58 AM POST-HEARING DATA REQUEST  
Note: Sacre, Candace ASST GEN COUNSEL NGUYEN PSC - WITNESS PULLEN  
Note: Sacre, Candace COPY OF STATION TWO TITLE V PERMIT

11:16:07 AM Asst Gen Counsel Nguyen PSC - witness Pullen  
Note: Sacre, Candace Pg 6, rebuttal, Henderson responsible environmental compliance Station Two. Written letter to Heimgartner. Other steps needed shift environmental responsibility from BREC to Henderson?

11:17:21 AM Asst Gen Counsel Nguyen PSC - witness Pullen  
Note: Sacre, Candace Responsible for making change?

11:18:03 AM Asst Gen Counsel Nguyen PSC - witness Pullen  
Note: Sacre, Candace Other steps?

11:18:18 AM Asst Gen Counsel Nguyen PSC - witness Pullen  
Note: Sacre, Candace What happen if Henderson not take over environmental compliance Station Two ash pond?

11:19:04 AM Asst Gen Counsel Nguyen PSC - witness Pullen  
Note: Sacre, Candace Change requested by BREC permit Station Two City assume environmental compliance, City not yet agreed?

11:19:37 AM Asst Gen Counsel Nguyen PSC - witness Pullen  
Note: Sacre, Candace City accept, what happens request revise permit?

11:20:10 AM Asst Gen Counsel Nguyen PSC - witness Pullen  
Note: Sacre, Candace BREC responsible environmental compliance Station Two ash pond, penalties noncompliance?

11:21:37 AM	Asst Gen Counsel Nguyen PSC - witness Pullen Note: Sacre, Candace	Requested change permit Station Two ash pond, City not accept responsibility for change, any future potential noncompliance, penalties obligated to owner?
11:23:11 AM	Asst Gen Counsel Nguyen PSC - witness Pullen Note: Sacre, Candace	Lines 8-11, pg 6, rebuttal testimony, filing by Henderson Webster Circuit decommissioning costs Station Two ash pond, BREC have copy of complaint?
11:23:48 AM	Asst Gen Counsel Nguyen PSC - witness Pullen Note: Sacre, Candace	Request copy of Complaint?
11:23:58 AM	Asst Gen Counsel Nguyen PSC - witness Pullen Note: Sacre, Candace	Cost allocation Henderson and Big Rivers?
11:24:00 AM	POST-HEARING DATA REQUEST Note: Sacre, Candace Note: Sacre, Candace	ASST GEN COUNSEL NGUYEN PSC - WITNESS PULLEN COMPLAINT FILED BY HENDERSON IN WEBSTER CIRCUIT COURT
11:24:13 AM	Asst Gen Counsel Nguyen PSC - witness Pullen Note: Sacre, Candace	Pg 7, rebuttal, lines 12-14, BREC no contractual obligations retirement/replace costs Station Two. Details, support?
11:26:07 AM	Asst Gen Counsel Nguyen PSC - witness Pullen Note: Sacre, Candace	Position decommissioning Station Two contracts refers only to full retirement, complete demolition, and remediation and not retirement in place?
11:27:59 AM	Asst Gen Counsel Nguyen PSC - witness Pullen Note: Sacre, Candace	City's decision with respect to that?
11:28:07 AM	Asst Gen Counsel Nguyen PSC - witness Pullen Note: Sacre, Candace	Five to seven years range retirement, replace costs outstripping cost to fully retire, based upon original estimated cost decommission Station Two, not cost mentioned by Berry much less?
11:29:39 AM	Asst Gen Counsel Nguyen PSC - witness Pullen Note: Sacre, Candace	Annual cost idling station v keep in dry, safe, dark situation roughly the same?
11:30:40 AM	Asst Gen Counsel Nguyen PSC Note: Sacre, Candace	All the questions.
11:30:42 AM	Chairman Schmitt Note: Sacre, Candace	Commissioner Mathews?
11:30:47 AM	Commissioner Mathews Note: Sacre, Candace	I don't have any.
11:30:49 AM	Chairman Schmitt Note: Sacre, Candace	Neither do I. Mr. Kurtz, redirect?
11:30:53 AM	Atty Kurtz BREC Note: Sacre, Candace	Yes, sir.
11:30:57 AM	Atty Kurtz BREC - witness Pullen Note: Sacre, Candace	Redirect Examination. Compliance CCR rule legal requirement?
11:31:08 AM	Atty Kurtz BREC - witness Pullen Note: Sacre, Candace	Best estimate cost close/decommission Station Two ash pond?
11:31:23 AM	Atty Kurtz BREC - witness Pullen Note: Sacre, Candace	Ash pond included, part of Station Two?
11:31:36 AM	Atty Kurtz BREC - witness Pullen Note: Sacre, Candace	Decommissioning cost percentage applied ash pond, City's share approximately \$3 million?
11:31:48 AM	Atty Kurtz BREC - witness Pullen Note: Sacre, Candace	Comply federal law avoid civil/criminal penalties, BREC prepared to decommission Station Two ash pond City pays 22.76 percent decommissioning costs?

11:32:38 AM	Atty Kurtz BREC Note: Sacre, Candace	No further questions.
11:32:42 AM	Chairman Schmitt Note: Sacre, Candace	Witness excused?
11:32:49 AM	Asst Gen Counsel Nguyen PSC Note: Sacre, Candace	Yes.
11:32:51 AM	Atty Redding Henderson Note: Sacre, Candace	May I ask a question?
11:32:52 AM	Atty Redding Henderson - witness Pullen Note: Sacre, Candace	Filing BREC filed for application addressing air quality permit
11:33:04 AM	Chairman Schmitt Note: Sacre, Candace	Normally, no, but go ahead.
11:33:13 AM	Atty Redding Henderson - witness Pullen Note: Sacre, Candace	Recross Examination. Also provide filings BREC filed for application Air Quality Green Permit?
11:34:00 AM	Atty Redding Henderson - witness Pullen Note: Sacre, Candace	Not provide information Cabinet relied upon for statement?
11:34:20 AM	Atty Redding Henderson - witness Pullen Note: Sacre, Candace	Provide application BREC sent to Cabinet?
11:34:38 AM	Atty Redding Henderson - witness Pullen Note: Sacre, Candace	Ash pond joint use facility asset?
11:34:53 AM	Chairman Schmitt Note: Sacre, Candace	All you have, Mr. Redding?
11:34:56 AM	Atty Redding Henderson Note: Sacre, Candace	Yes.
11:35:00 AM	Chairman Schmitt Note: Sacre, Candace	Will discuss time needed to respond to data requests, will need to file data request into record and serve BREC. Data requests limited to documents.
11:36:09 AM	Chairman Schmitt Note: Sacre, Candace	Mr. Kurtz, another witness?
11:36:12 AM	Atty Kurtz BREC Note: Sacre, Candace	Yes, Mr. Chambliss.
11:36:42 AM	Chairman Schmitt Note: Sacre, Candace	Witness is sworn.
11:36:56 AM	Atty Kurtz BREC - witness Chambliss Note: Sacre, Candace	Direct Examination. Name and business address?
11:37:08 AM	Atty Kurtz BREC - witness Chambliss Note: Sacre, Candace	Title?
11:37:14 AM	Atty Kurtz BREC - witness Chambliss Note: Sacre, Candace	Direct/rebuttal testimony?
11:37:18 AM	Atty Kurtz BREC - witness Chambliss Note: Sacre, Candace	If to ask same questions, answers be same?
11:37:22 AM	Atty Kurtz BREC - witness Chambliss Note: Sacre, Candace	Corrections, additions?
11:37:25 AM	Atty Kurtz BREC Note: Sacre, Candace	Witness ready for cross.
11:37:28 AM	Chairman Schmitt Note: Sacre, Candace	Mr. Redding, cross?
11:37:31 AM	Atty Redding Henderson Note: Sacre, Candace	No questions.
11:37:34 AM	Chairman Schmitt Note: Sacre, Candace	Mr. Nguyen?

11:37:36 AM	Asst Gen Counsel Nguyen PSC Note: Sacre, Candace	Clarification.
11:37:43 AM	Asst Gen Counsel Nguyen PSC - witness Chambliss Note: Sacre, Candace	Cross Examination. Good morning, Mr. Chambliss. Pg 3, rebuttal testimony, response, lines 15-19, question above direct testimony Bickett power sales contract system reserves agreement prior to MISO, not amended to address transition to MISO. (Click on link for further comments.)
11:39:00 AM	Asst Gen Counsel Nguyen PSC - witness Chambliss Note: Sacre, Candace	Also say since agreement provision to recognize RTO, second reference to agreement, meant to be reference to power sales agreement?
11:39:31 AM	Asst Gen Counsel Nguyen PSC - witness Chambliss Note: Sacre, Candace	Power sales agreements, already contain language recognition of RTO such as MISO?
11:39:57 AM	Asst Gen Counsel Nguyen PSC Note: Sacre, Candace	All questions I have.
11:39:59 AM	Chairman Schmitt Note: Sacre, Candace	Commissioner Mathews?
11:40:01 AM	Commissioner Mathews Note: Sacre, Candace	Don't have any.
11:40:03 AM	Chairman Schmitt Note: Sacre, Candace	No questions. Mr. Kurtz?
11:40:07 AM	Atty Kurtz BREC Note: Sacre, Candace	Briefly.
11:40:10 AM	Atty Kurtz BREC - witness Chambliss Note: Sacre, Candace	Redirect Examination. System reserves agreement, anticipation MISO, pg 10, 1998 amendments?
11:41:00 AM	Atty Kurtz BREC - witness Chambliss Note: Sacre, Candace	Include MISO?
11:41:30 AM	Atty Kurtz BREC Note: Sacre, Candace	No additional.
11:41:33 AM	Chairman Schmitt Note: Sacre, Candace	Witness be excused?
11:41:35 AM	Chairman Schmitt Note: Sacre, Candace	May be excused.
11:41:39 AM	Chairman Schmitt Note: Sacre, Candace	Discussion of witness/time table. (Click on link for further comments.)
11:42:01 AM	Atty Kurtz BREC Note: Sacre, Candace	Mr. Eacret?
11:42:24 AM	Chairman Schmitt Note: Sacre, Candace	Witness is sworn.
11:42:36 AM	Atty Kurtz BREC - witness Eacret Note: Sacre, Candace	Direct Examination. Name and business address?
11:42:43 AM	Atty Kurtz BREC - witness Eacret Note: Sacre, Candace	Direct/rebuttal testimony?
11:42:47 AM	Atty Kurtz BREC - witness Eacret Note: Sacre, Candace	If to ask same questions, answers be same?
11:42:50 AM	Atty Kurtz BREC - witness Eacret Note: Sacre, Candace	Corrections, additions?
11:42:52 AM	Atty Kurtz BREC Note: Sacre, Candace	Witness ready cross.

11:42:54 AM	Chairman Schmitt Note: Sacre, Candace	Mr. Redding?
11:42:57 AM	Atty Redding Henderson Note: Sacre, Candace	No questions.
11:43:02 AM	Chairman Schmitt Note: Sacre, Candace	Mr. Nguyen?
11:43:04 AM	Asst Gen Counsel Nguyen PSC Note: Sacre, Candace	One.
11:43:06 AM	Asst Gen Counsel Nguyen PSC - witness Eacret Note: Sacre, Candace	Cross Examination. Financial dispute, interest in addition to costs?
11:43:30 AM	Asst Gen Counsel Nguyen PSC - witness Eacret Note: Sacre, Candace	Rebuttal, pg 9 of 12, interest MISO fees, needed to make BREC whole, recall?
11:43:51 AM	Asst Gen Counsel Nguyen PSC - witness Eacret Note: Sacre, Candace	Why?
11:44:22 AM	Asst Gen Counsel Nguyen PSC Note: Sacre, Candace	All questions.
11:44:31 AM	Chairman Schmitt Note: Sacre, Candace	Commissioner Mathews?
11:44:35 AM	Commissioner Mathews Note: Sacre, Candace	Do not have any.
11:44:41 AM	Chairman Schmitt Note: Sacre, Candace	No questions. Mr. Kurtz?
11:44:45 AM	Atty Kurtz BREC Note: Sacre, Candace	No.
11:44:46 AM	Chairman Schmitt Note: Sacre, Candace	Witness be excused?
11:44:48 AM	Chairman Schmitt Note: Sacre, Candace	May step down.
11:44:56 AM	Chairman Schmitt Note: Sacre, Candace	Procedural discussion. (Click on link for further comments.)
11:46:06 AM	Chairman Schmitt Note: Sacre, Candace	Witness is sworn.
11:46:17 AM	Atty Kurtz BREC - witness Smith Note: Sacre, Candace	Direct Examination. Name and business address?
11:46:29 AM	Atty Kurtz BREC - witness Smith Note: Sacre, Candace	Title?
11:46:32 AM	Atty Kurtz BREC - witness Smith Note: Sacre, Candace	Direct/rebuttal testimony?
11:46:37 AM	Atty Kurtz BREC - witness Smith Note: Sacre, Candace	Corrections, additions?
11:48:32 AM	Atty Kurtz BREC Note: Sacre, Candace	Chairman, amended schedule for Mr. Smith \$80,000 correction?
11:48:39 AM	Chairman Schmitt Note: Sacre, Candace	Advantage Henderson?
11:48:43 AM	Atty Kurtz BREC Note: Sacre, Candace	Correct.
11:48:44 AM	Chairman Schmitt Note: Sacre, Candace	Yes.
11:48:50 AM	Atty Redding Henderson Note: Sacre, Candace	No objection.
11:49:31 AM	Chairman Schmitt Note: Sacre, Candace	File along with data requests.

11:49:38 AM	Chairman Schmitt Note: Sacre, Candace	Mr. Redding, cross?
11:49:42 AM	Atty Redding Henderson Note: Sacre, Candace	Briefly.
11:49:44 AM	Atty Redding Henderson - witness Smith Note: Sacre, Candace	Cross Examination. Calculation in direct/rebuttal based on BREC petition?
11:50:16 AM	Atty Redding Henderson - witness Smith Note: Sacre, Candace	Understand Henderson different interpretation change calculation?
11:50:33 AM	Atty Redding Henderson - witness Smith Note: Sacre, Candace	Asked Commission not look back prior to Jan 5 2018 relating calculations?
11:51:20 AM	Atty Redding Henderson - witness Smith Note: Sacre, Candace	Filed testimony, rebuttal, pg 3 of 30, asking Commission not reach back prior Jan 5 2018?
11:51:38 AM	Atty Redding Henderson - witness Smith Note: Sacre, Candace	Franklin Circuit Court BREC asked assess variable cost damages to Henderson \$10 million, aware?
11:52:05 AM	Atty Redding Henderson - witness Smith Note: Sacre, Candace	Not looking back prior to 2018, BREC keep \$10 million revenue uneconomic excess energy, keep \$2 million profitable energy, variable costs pushed off to Henderson?
11:52:43 AM	Atty Redding Henderson - witness Smith Note: Sacre, Candace	Scenario representing, Franklin Circuit Court variable costs to Henderson \$10 million paid to BREC?
11:53:13 AM	Atty Redding Henderson - witness Smith Note: Sacre, Candace	Revenue receive from disputed energy, unwanted unprofitable energy June 2016 - 2017, Data Request pg 101 witness response, \$10.69 million?
11:54:10 AM	Atty Redding Henderson - witness Smith Note: Sacre, Candace	Reason, BREC used Henderson's coal, Henderson pay variable cost unprofitable \$10 million, have to write off coal?
11:54:52 AM	Atty Redding Henderson - witness Smith Note: Sacre, Candace	During time period, BREC used all Henderson coal available?
11:55:10 AM	Atty Redding Henderson - witness Smith Note: Sacre, Candace	Reference unwanted Henderson energy, energy variable cost exceeded revenues it could generate?
11:55:37 AM	Atty Redding Henderson - witness Smith Note: Sacre, Candace	Understand and agree unwanted energy is energy cost more produce than revenues for?
11:56:18 AM	Atty Redding Henderson - witness Smith Note: Sacre, Candace	Start over, agree uneconomic energy energy cost more to produce than revenues?
11:56:36 AM	Atty Redding Henderson Note: Sacre, Candace	All we have.
11:56:39 AM	Chairman Schmitt Note: Sacre, Candace	Mr. Nguyen?
11:56:40 AM	Asst Gen Counsel Nguyen PSC Note: Sacre, Candace	Yes.
11:56:43 AM	Asst Gen Counsel Nguyen PSC - witness Smith Note: Sacre, Candace	Cross Examination. Rebuttal, pg 8, lines 9-12, Moll testimony Exhibit Moll-2?

11:57:44 AM	Asst Gen Counsel Nguyen PSC - witness Smith Note: Sacre, Candace	Provide breakout of fuel and reagents to serve Henderson native load, amounts excess Henderson energy? Shown in Exhibit Smith-3 direct?
11:58:36 AM	Asst Gen Counsel Nguyen PSC - witness Smith Note: Sacre, Candace	Smith-3 net from Moll-2, fuel and reagents excess Henderson Energy?
11:59:06 AM	Asst Gen Counsel Nguyen PSC - witness Smith Note: Sacre, Candace	Rebuttal, pg 11, Green Station Landfill expansion, address Moll testimony regarding City lack of awareness, Henderson employees Thompson, Quick, Brooks familiar with project?
11:59:59 AM	Asst Gen Counsel Nguyen PSC - witness Smith Note: Sacre, Candace	Position/titles three individuals at Henderson?
12:00:35 PM	Asst Gen Counsel Nguyen PSC - witness Smith Note: Sacre, Candace	How know three individuals familiar?
12:01:26 PM	Asst Gen Counsel Nguyen PSC - witness Smith Note: Sacre, Candace	Knowledge close in time project implemented?
12:01:47 PM	Asst Gen Counsel Nguyen PSC Note: Sacre, Candace	All have.
12:01:50 PM	Chairman Schmitt Note: Sacre, Candace	Commissioner Mathews?
12:01:52 PM	Commissioner Mathews Note: Sacre, Candace	Don't have any.
12:01:54 PM	Chairman Schmitt Note: Sacre, Candace	None. Mr. Kurtz?
12:01:57 PM	Atty Kurtz BREC Note: Sacre, Candace	No redirect.
12:02:00 PM	Chairman Schmitt Note: Sacre, Candace	Witness be excused?
12:02:03 PM	Chairman Schmitt Note: Sacre, Candace	Excused.
12:02:05 PM	Chairman Schmitt Note: Sacre, Candace	Other witnesses, or case for BREC?
12:02:11 PM	Atty Kurtz BREC Note: Sacre, Candace	Big Rivers' case.
12:02:14 PM	Chairman Schmitt Note: Sacre, Candace	Lunch break until one o'clock. Mr. Redding, when come back, ready present evidence?
12:02:24 PM	Atty Redding Henderson Note: Sacre, Candace	Yes.
12:02:32 PM	Chairman Schmitt Note: Sacre, Candace	Recess until one o'clock.
12:02:43 PM	Session Paused	
1:08:55 PM	Session Resumed	
1:09:00 PM	Chairman Schmitt Note: Sacre, Candace	Back on the record. Mr. Redding?
1:09:13 PM	Atty Redding Henderson Note: Sacre, Candace	Barbara Moll.
1:09:38 PM	Chairman Schmitt Note: Sacre, Candace	Witness is sworn.
1:10:01 PM	Atty Redding Henderson - witness Moll Note: Sacre, Candace	Direct Examination. Name?
1:10:08 PM	Atty Redding Henderson - witness Moll Note: Sacre, Candace	Business position?

1:10:13 PM	Atty Redding Henderson - witness Moll Note: Sacre, Candace	Business address?
1:10:21 PM	Atty Redding Henderson - witness Moll Note: Sacre, Candace	Direct testimony, amended?
1:10:32 PM	Atty Redding Henderson - witness Moll Note: Sacre, Candace	Adopt?
1:10:33 PM	Atty Redding Henderson - witness Moll Note: Sacre, Candace	Including exhibits?
1:10:43 PM	Atty Redding Henderson - witness Moll Note: Sacre, Candace	Clarifications, corrections?
1:11:01 PM	Atty Redding Henderson Note: Sacre, Candace	Witness for cross.
1:11:06 PM	Chairman Schmitt Note: Sacre, Candace	Mr. Kamuf, Mr. Kurtz?
1:11:10 PM	Atty Kurtz BREC Note: Sacre, Candace	Yes.
1:11:15 PM	Atty Kurtz BREC - witness Moll Note: Sacre, Candace	Cross Examination. Pg 8, testimony, lines 14-15, line 21, assert BREC charged City severance costs without contractual authority?
1:11:42 PM	Atty Kurtz BREC - witness Moll Note: Sacre, Candace	Severance BREC paid employees?
1:12:09 PM	Atty Kurtz BREC - witness Moll Note: Sacre, Candace	How many employees?
1:12:18 PM	Atty Kurtz BREC - witness Moll Note: Sacre, Candace	\$50,000 per employee six months compensation, insurance?
1:12:42 PM	Atty Kurtz BREC - witness Moll Note: Sacre, Candace	BREC not authorized make severance payment?
1:13:06 PM	Atty Kurtz BREC - witness Moll Note: Sacre, Candace	Familiar with construction/operation agreement?
1:13:24 PM	Atty Kurtz BREC - witness Moll Note: Sacre, Candace	Section 13.4 and 13.6, reading. (Click on link for further comments.) Familiar with provisions?
1:16:30 PM	Session Paused	
1:17:16 PM	Session Resumed	
1:17:18 PM	Chairman Schmitt Note: Sacre, Candace	Back on record.
1:17:29 PM	Atty Kurtz BREC - witness Moll Note: Sacre, Candace	Cross Examination (cont'd). Last thing you heard?
1:17:43 PM	Atty Kurtz BREC - witness Moll Note: Sacre, Candace	Operations agreement, paragraph 13.4 and 13.6, reading. (Click on link for further comments.)
1:18:39 PM	Atty Kurtz BREC - witness Moll Note: Sacre, Candace	City provided 2011 bond prospectus issued for bonds, review?
1:19:05 PM	Atty Kurtz BREC - witness Moll Note: Sacre, Candace	Read pg 26, Response to BREC 1-40, reading. (Click on link for further comments.) Assume accurate?
1:20:05 PM	Atty Kurtz BREC - witness Moll Note: Sacre, Candace	Severance payments reasonable, contractual obligation to pay?
1:20:40 PM	Atty Kurtz BREC - witness Moll Note: Sacre, Candace	BREC paid employees operated plant?
1:21:02 PM	Atty Kurtz BREC - witness Moll Note: Sacre, Candace	Position is severance at end of life of power plant not contractually authorized?

1:21:21 PM	Atty Kurtz BREC - witness Moll Note: Sacre, Candace	Option take care over running power plant?
1:21:39 PM	Atty Kurtz BREC - witness Moll Note: Sacre, Candace	Aware Commission approves payments of severance decommissioning Ky Power's Big Sandy Two, decommissioning rider?
1:22:05 PM	Atty Kurtz BREC Note: Sacre, Candace	All questions.
1:22:09 PM	Chairman Schmitt Note: Sacre, Candace	Mr. Nguyen?
1:22:10 PM	Asst Gen Counsel Nguyen PSC Note: Sacre, Candace	No.
1:22:12 PM	Chairman Schmitt Note: Sacre, Candace	Commissioner Mathews?
1:22:14 PM	Commissioner Mathews Note: Sacre, Candace	No.
1:22:17 PM	Chairman Schmitt - witness Moll Note: Sacre, Candace	Examination. Only question, bonds City issued build plant, Station Two serves as collateral, bonds paid off?
1:22:44 PM	Chairman Schmitt Note: Sacre, Candace	No other. Redirect?
1:22:53 PM	Atty Redding Henderson Note: Sacre, Candace	Clear up one matter
1:22:55 PM	Atty Redding Henderson - witness Moll Note: Sacre, Candace	Redirect Examination. Moll Exhibit 2, identify?
1:23:23 PM	Atty Redding Henderson - witness Moll Note: Sacre, Candace	BREC calculations, BREC document?
1:23:30 PM	Atty Redding Henderson - witness Moll Note: Sacre, Candace	Henderson paid variable cost, receives revenues, variable costs in that document?
1:23:55 PM	Atty Redding Henderson - witness Moll Note: Sacre, Candace	Document presented indicate BREC calculations, Henderson supply coal?
1:24:07 PM	Atty Kurtz BREC Note: Sacre, Candace	Object, not redirect.
1:24:15 PM	Chairman Schmitt Note: Sacre, Candace	Sustained, isn't within scope questioning on cross.
1:24:29 PM	Atty Redding Henderson Note: Sacre, Candace	Help with calculations.
1:24:38 PM	Chairman Schmitt Note: Sacre, Candace	Question topics raised, new information.
1:25:16 PM	Atty Redding Henderson Note: Sacre, Candace	Concludes Moll.
1:25:19 PM	Chairman Schmitt Note: Sacre, Candace	Witness be excused?
1:25:21 PM	Asst Gen Counsel Nguyen PSC Note: Sacre, Candace	Yes.
1:25:22 PM	Chairman Schmitt Note: Sacre, Candace	May step down. Mr. Redding?
1:25:30 PM	Atty Redding Henderson Note: Sacre, Candace	Brad Bickett
1:25:46 PM	Chairman Schmitt Note: Sacre, Candace	Witness is sworn.

1:26:00 PM	Atty Redding Henderson - witness Bickett Note: Sacre, Candace	Direct Examination. Name?
1:26:04 PM	Atty Redding Henderson - witness Bickett Note: Sacre, Candace	Position?
1:26:09 PM	Atty Redding Henderson - witness Bickett Note: Sacre, Candace	Business address?
1:26:20 PM	Atty Redding Henderson - witness Bickett Note: Sacre, Candace	Direct testimony/data responses?
1:26:27 PM	Atty Redding Henderson - witness Bickett Note: Sacre, Candace	Adopt those?
1:26:34 PM	Atty Redding Henderson Note: Sacre, Candace	Ask questions direct testimony?
1:26:40 PM	Chairman Schmitt Note: Sacre, Candace	You may.
1:26:47 PM	Atty Redding Henderson - witness Bickett Note: Sacre, Candace	Station Two agreements, filed MISO grandfather treatment?
1:26:58 PM	Atty Redding Henderson - witness Bickett Note: Sacre, Candace	Effect of that?
1:27:09 PM	Atty Redding Henderson - witness Bickett Note: Sacre, Candace	Tariffs do not apply, fees assessed against Henderson?
1:27:48 PM	Atty Redding Henderson - witness Bickett Note: Sacre, Candace	Three types registration BREC in MISO system?
1:28:17 PM	Atty Redding Henderson - witness Bickett Note: Sacre, Candace	BREC register Henderson share generation in MISO?
1:28:37 PM	Atty Redding Henderson - witness Bickett Note: Sacre, Candace	Effect on Henderson?
1:28:46 PM	Atty Redding Henderson - witness Bickett Note: Sacre, Candace	Transmission revenue how much month?
1:29:07 PM	Atty Redding Henderson - witness Bickett Note: Sacre, Candace	Henderson joined MISO Feb 1 2019, register transmission assets?
1:29:20 PM	Atty Kurtz BREC Note: Sacre, Candace	Object, none of information in direct testimony, move to strike.
1:29:36 PM	Chairman Schmitt Note: Sacre, Candace	Response, Mr. Redding?
1:29:41 PM	Attorney Redding Henderson Note: Sacre, Candace	Is in testimony, tells Henderson deprived of revenues, same approach quantified numbers Commission needs.
1:30:27 PM	Chairman Schmitt Note: Sacre, Candace	Overruled.
1:30:30 PM	Attorney Redding Henderson Note: Sacre, Candace	All have for Bickett.
1:30:36 PM	Chairman Schmitt Note: Sacre, Candace	Mr. Kurtz?
1:30:41 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	Cross Examination. Pg 9, testimony, line 12, reading. (Click on link for further comments.) Read correctly?
1:31:54 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	Capacity reservation 2018-19 125 megawatts v City authorized 115 and not comply MISO formula?
1:32:33 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	Bond prospectus 1998, pg 28, systems reserve agreement, reading. (Click on link for further comments.) MISO regional transmission authority?

1:33:24 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	1998 amendments require BREC and City comply MISO systems reserve agreement?
1:34:00 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	Section 2.1 of systems reserves agreement amended 1998, pg 10, Chambliss quoted, have that?
1:34:25 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	System reserves agreement amended 1998, reading. (Click on link for further comments.) Position did not have to meet MISO capacity planning requirements?
1:35:50 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	BREC is only a member of MISO?
1:36:04 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	Your load in MISO?
1:36:39 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	BREC did responsibility for you?
1:37:03 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	Agree MISO rules regulations did apply, BREC calculation of 124.7 megawatt capacity reservation calculation correct?
1:37:37 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	What aspect of calculation wrong?
1:38:07 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	125 mw capacity reservation how big load and reserves need reliability under MISO formula?
1:38:27 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	Reviewed Eacret testimony?
1:38:33 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	Response Staff PSC 1-4 explain difference 115 megawatts Henderson assertin v 125 BREC asserting?
1:39:03 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	Equivalent forced outage rate use Station Two?
1:39:18 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	Calculation Eacret Response Staff 1-4?
1:40:01 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	Understand MISO rules not every megawatt capacity treated same reliability?
1:40:24 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	Less reliable resources more megawatts satisfy reserve?
1:40:36 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	Response, used industry average of 6.85 percent, three year rolling MISO uses Station Two 11 percent and Unit Two 21.2 percent total/forced outage, aware?
1:41:13 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	Agree costs Station Two end of life unreliable, more megawatts Station Two meet reserves than more reliable unit?
1:41:53 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	Pg 7, testimony, line 5, NERC BAL-002 applied to Henderson at time BREC joined MISO, answer, no, largest unit contingency reserve rule not apply Henderson, not registered as balancing authority?
1:42:50 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	2010 NERC rule required small utilities to join bigger organization, like MISO, satisfy stand-alone cost prohibitive?
1:43:29 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	How LG&E and KU comply?

1:43:36 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	Surprise, joint reserve sharing agreement with TVA, East Ky part until joined PJM, aware?
1:43:56 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	Reason balancing authority not apply BREC was doing for you when rule became effective?
1:44:13 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	2009 Memorandum of Understanding, BREC and City, subsequent to unwind, know what unwind was?
1:44:31 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	BREC took control power plants from unregulated LG&E entities?
1:44:45 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	2009, MOU, BREC and City, reading. (Click on link for futher comments.)
1:44:59 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	TOP, know what that means, what?
1:45:08 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	GOP, what is that?
1:45:14 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	BA Reliability Standard Functions?
1:45:23 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	Balancing Authority, reading. (Click on link for further comments.)
1:45:37 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	Plain words, WKE/LG&E provided balancing authority during unwind/lease transaction, after terminated BREC did BA function?
1:46:27 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	Isn't that circular?
1:46:56 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	Reading 2018-19 Fiscal Year Financial Statements City of Henderson, in response Big Rivers 1-31, pg 13, Regulatory Compliance. (Click on link for further comments.) Is that a true statement?
1:47:57 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	Had BREC not balancing authority, comply NERC on own?
1:48:29 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	Review rebuttal of Chambliss?
1:48:36 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	Review Pg 5 quote from SERC audit Henderson May 2014?
1:48:59 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	Reading from SERC. (Clink on link for further comments.)
1:49:16 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	TO, transmission owner?
1:49:21 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	LSE functions, load-serving entity?
1:49:27 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	Reading from SERC. (Clink on link for further comments.)
1:49:51 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	SERC said in 2014, so true that BREC providing function?
1:50:23 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	BREC doing all work for you, financial reports conclude NERC requirements apply to City 2007?
1:51:07 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	Disputing MISO fees BREC passing through back to 2010?

1:51:27 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	Effective Feb 1 2019 own MISO member?
1:51:37 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	Bills/invoices directly rather than BREC pass through?
1:52:02 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	BREC passing MISO costs, charging you commission, Feb 1 2019 billed directly by MISO?
1:52:21 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	Load not change Jan 31 19 and Feb 1 19, no change to load makeup?
1:53:00 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	Verify/investigate pass through MISO fees to City, invoices MISP sent City since own participant?
1:53:43 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	Load-related fees same, load not change Jan 31 19 and Feb 1 19, MISO billing for load compare to BREC pass through for load?
1:54:35 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	Not referring to grandfather agreements, referring to MISO fees associated with load?
1:55:03 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	Ask BREC witness, 3, 5, 6, 17, and 24?
1:55:27 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	Judge reasonableness BREC pass through MISO load-related fees schedules 3, 5, 6, 17, and 24, look what MISO billing directly same services, make sense?
1:55:58 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	Not grandfather transmission, load-related fee?
1:56:20 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	Talking about MISO fees related to load?
1:56:42 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	Think you are, refused provide MISO fees charged directly, said not relevant?
1:57:00 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	MISO charging directly something BREC trying pass through, relevant if far off, exactly same, close?
1:57:30 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	BREC bill MISO for your load, pass through exactly cost their load same as MISO charged BREC for its load?
1:57:59 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	Have 625,000 mw hours a year for free?
1:58:29 PM	Atty Kurtz BREC - witness Bickett Note: Sacre, Candace	Your load at MISO, BREC charged for load?
1:58:52 PM	Atty Kurtz BREC Note: Sacre, Candace	All questions.
1:58:57 PM	Chairman Schmitt Note: Sacre, Candace	Mr. Nguyen?
1:58:58 PM	Asst Gen Counsel Nguyen PSC Note: Sacre, Candace	No.
1:58:59 PM	Chairman Schmitt Note: Sacre, Candace	Commissioner Mathews?
1:59:02 PM	Commissioner Mathews Note: Sacre, Candace	No.
1:59:02 PM	Chairman Schmitt Note: Sacre, Candace	No questions. Mr. Redding?

1:59:09 PM	Atty Redding Henderson Note: Sacre, Candace	Quickly.
1:59:10 PM	Atty Redding Henderson - witness Note: Sacre, Candace	Bickett Redirect Examination. Station Two units shutdown Feb 1 2019?
1:59:20 PM	Atty Redding Henderson - witness Note: Sacre, Candace	Bickett Henderson registered units generating/transmission capacity with MISO?
1:59:36 PM	Atty Redding Henderson - witness Note: Sacre, Candace	Bickett Ever register?
1:59:44 PM	Atty Redding Henderson Note: Sacre, Candace	All have.
1:59:46 PM	Chairman Schmitt Note: Sacre, Candace	Witness be excused?
1:59:50 PM	Chairman Schmitt Note: Sacre, Candace	May step down, excused.
1:59:57 PM	Chairman Schmitt Note: Sacre, Candace	Next witness?
2:00:00 PM	Atty Redding Henderson Note: Sacre, Candace	Seth Brown.
2:00:11 PM	Chairman Schmitt Note: Sacre, Candace	Witness is sworn.
2:00:24 PM	Chairman Schmitt Note: Sacre, Candace	Mr. Redding.
2:00:27 PM	Atty Redding Henderson - witness Note: Sacre, Candace	Brown Direct Examination. Name?
2:00:35 PM	Atty Redding Henderson - witness Note: Sacre, Candace	Brown Position and title?
2:00:45 PM	Atty Redding Henderson - witness Note: Sacre, Candace	Brown Business address?
2:00:59 PM	Atty Redding Henderson - witness Note: Sacre, Candace	Brown Direct testimony?
2:01:10 PM	Atty Redding Henderson - witness Note: Sacre, Candace	Brown Adopt testimony?
2:01:18 PM	Atty Redding Henderson - witness Note: Sacre, Candace	Brown Clarifications, changes?
2:01:27 PM	Atty Redding Henderson Note: Sacre, Candace	Pass witness.
2:01:30 PM	Chairman Schmitt Note: Sacre, Candace	Mr. Kurtz?
2:01:35 PM	Atty Kurtz BREC - witness Note: Sacre, Candace	Brown Cross Examination. MISO load related schedule charges?
2:01:50 PM	Atty Kurtz BREC - witness Note: Sacre, Candace	Brown BREC billed by MISO for City load?
2:02:03 PM	Atty Kurtz BREC - witness Note: Sacre, Candace	Brown BREC position treated City load same, charged City what MISO charged BREC?
2:02:32 PM	Atty Kurtz BREC - witness Note: Sacre, Candace	Brown Dispute, question grandfathered transmission agreement properly registered, addressed in testimony?
2:02:50 PM	Atty Kurtz BREC - witness Note: Sacre, Candace	Brown Read Eacret rebuttal testimony?
2:03:05 PM	Session Note Entry Note: Sacre, Candace	Agree City received benefit grandfathered transmission agreements?

2:03:27 PM	Atty Kurtz BREC - witness Brown Note: Sacre, Candace	Grandfathered agreements lower cost transmission fees than new transmission, benefit.
2:03:57 PM	Atty Kurtz BREC - witness Brown Note: Sacre, Candace	Agree benefit grandfathered agreements?
2:04:33 PM	Atty Kurtz BREC - witness Brown Note: Sacre, Candace	Testimony used phrase double charge, double recovery, recall?
2:04:43 PM	Atty Kurtz BREC - witness Brown Note: Sacre, Candace	Think MISO sent incorrect bill to BREC double charge, double recovery?>
2:05:14 PM	Atty Kurtz BREC - witness Brown Note: Sacre, Candace	Extent MISO made mistake, City go MISO get fixed?
2:05:54 PM	Atty Kurtz BREC - witness Brown Note: Sacre, Candace	MISO bill to BREC, ACES reviews, know what is ACES Power Marketing?
2:06:07 PM	Atty Kurtz BREC - witness Brown Note: Sacre, Candace	Who is that?
2:06:20 PM	Atty Kurtz BREC - witness Brown Note: Sacre, Candace	Several co-ops in MISO, Wabash, Hoosier?
2:06:30 PM	Atty Kurtz BREC - witness Brown Note: Sacre, Candace	MISO bill to BREC, ACES gets, shadow bills verify accuracy?
2:06:43 PM	Atty Kurtz BREC - witness Brown Note: Sacre, Candace	BREC reviews, passes through costs City caused, generation cost, pure pass through, no markup, no profit margin, nothing?
2:07:32 PM	Atty Kurtz BREC Note: Sacre, Candace	No further questions.
2:07:36 PM	Chairman Schmitt Note: Sacre, Candace	Mr. Nguyen?
2:07:38 PM	Asst Gen Counsel Nguyen PSC Note: Sacre, Candace	No.
2:07:39 PM	Chairman Schmitt Note: Sacre, Candace	Commissioner Mathews?
2:07:41 PM	Commissioner Mathews Note: Sacre, Candace	None.
2:07:43 PM	Chairman Schmitt Note: Sacre, Candace	None. Mr. Redding?
2:07:48 PM	Atty Redding Henderson Note: Sacre, Candace	No.
2:07:51 PM	Chairman Schmitt Note: Sacre, Candace	May be excused.
2:08:01 PM	Chairman Schmitt Note: Sacre, Candace	Recess 15 minutes, 2:25.
2:08:19 PM	Session Paused	
2:26:52 PM	Session Resumed	
2:26:55 PM	Chairman Schmitt Note: Sacre, Candace	Back on record. Mr. Redding, one more witness?
2:27:03 PM	Atty Redding Henderson Note: Sacre, Candace	Yes.
2:27:07 PM	Chairman Schmitt Note: Sacre, Candace	Witness is sworn.
2:27:18 PM	Atty Redding Henderson - witness Note: Sacre, Candace	Heimgartner Direct Examination. Name?
2:27:24 PM	Atty Redding Henderson - witness Note: Sacre, Candace	Heimgartner Occupation?

2:27:27 PM	Atty Redding Henderson - witness Heimgartner Note: Sacre, Candace	Business address?
2:27:35 PM	Atty Redding Henderson - witness Heimgartner Note: Sacre, Candace	Testimony, first/second amendment, exhibits?
2:27:45 PM	Atty Redding Henderson - witness Heimgartner Note: Sacre, Candace	Adopt testimony?
2:27:48 PM	Atty Redding Henderson - witness Heimgartner Note: Sacre, Candace	Clarifications?
2:27:56 PM	Atty Redding Henderson - witness Heimgartner Note: Sacre, Candace	HMP&L agreed responsible decommissioning ash pond, dispute?
2:29:59 PM	Atty Redding Henderson - witness Heimgartner Note: Sacre, Candace	High wall objections, why?
2:30:27 PM	Atty Redding Henderson - witness Heimgartner Note: Sacre, Candace	Contracts require billing applicable to law. High wall properly approved?
2:30:47 PM	Atty Redding Henderson - witness Heimgartner Note: Sacre, Candace	Objecting severance fees, why?
2:30:52 PM	Atty Kurtz BREC Note: Sacre, Candace	Object, scheduling order not allow summations witness testimony, changes/corrections, summary not proper.
2:31:17 PM	Chairman Schmitt Note: Sacre, Candace	Response, Mr. Redding?
2:31:21 PM	Atty Redding Henderson Note: Sacre, Candace	Providing explanation BREC has done all testimony, issues tantamount to proceeding.
2:31:50 PM	Chairman Schmitt Note: Sacre, Candace	Overruled.
2:31:56 PM	Atty Redding Henderson - witness Heimgartner Note: Sacre, Candace	Severance, summarize?
2:32:50 PM	Atty Redding Henderson - witness Heimgartner Note: Sacre, Candace	Party to resolution Henderson Civil Action 2009-CI damage claim?
2:33:04 PM	Atty Redding Henderson - witness Heimgartner Note: Sacre, Candace	Privy in meetings?
2:33:09 PM	Atty Redding Henderson - witness Heimgartner Note: Sacre, Candace	Basis of complaint in civil action?
2:33:29 PM	Atty Redding Henderson - witness Heimgartner Note: Sacre, Candace	Berry inferred created unwanted energy. Unwanted, uneconomic Smith called it, energy costs exceed revenues?
2:33:48 PM	Atty Kurtz BREC Note: Sacre, Candace	Renew objection, this is new testimony.
2:34:20 PM	Atty Redding Henderson Note: Sacre, Candace	Not new testimony, rebuttal of Berry.
2:34:38 PM	Chairman Schmitt Note: Sacre, Candace	Understand position Henderson and BREC, eccentric evidence witness not even employed or in state, probably new evidence. Marginally important, take all time you need, don't need elaborate history disagreement and pleadings in 2009 lawsuit.
2:35:58 PM	Atty Redding Henderson Note: Sacre, Candace	Three points.
2:36:01 PM	Chairman Schmitt Note: Sacre, Candace	Go ahead, be able to ask questions, keep in acceptable range, context.
2:36:16 PM	Chairman Schmitt Note: Sacre, Candace	Technical issues. (Click on link for further discussion.)

2:37:04 PM Session Paused

2:40:26 PM Session Resumed

2:40:40 PM Chairman Schmitt  
Note: Sacre, Candace Back on record, continue.

2:41:12 PM Atty Redding Henderson - witness Heimgartner  
Note: Sacre, Candace Direct Examination (cont'd). Berry referenced 2016 hearing, subject Berry told Commission involved in proceeding?

2:41:45 PM Atty Redding Henderson - witness Heimgartner  
Note: Sacre, Candace Out of 2016 filing?

2:41:48 PM Atty Redding Henderson  
Note: Sacre, Candace All, pass witness.

2:41:52 PM Chairman Schmitt  
Note: Sacre, Candace Mr. Kurtz, cross?

2:41:56 PM Atty Kurtz BREC - witness Heimgartner  
Note: Sacre, Candace Cross Examination. Pg 20, testimony, decommissioning costs, position Station Two power plant decommissioned April 2019, City no additional cost cost obligation decommissioning?

2:42:38 PM Atty Kurtz BREC - witness Heimgartner  
Note: Sacre, Candace Drove by plant today see 350 foot high chimney?

2:42:55 PM Atty Kurtz BREC - witness Heimgartner  
Note: Sacre, Candace Boilers, turbines, scrubber, SCR still there, despite plant standing, fully decommissioned?

2:43:20 PM Atty Kurtz BREC - witness Heimgartner  
Note: Sacre, Candace AEP Ky Power decommissioning Big Sandy Power Plant as approved through rider tear down to green field/brown field site?

2:43:42 PM Atty Kurtz BREC - witness Heimgartner  
Note: Sacre, Candace Read Berry rebuttal testimony?

2:43:56 PM Atty Kurtz BREC - witness Heimgartner  
Note: Sacre, Candace In Berry rebuttal, LG&E Paddy's Run Power Plant power plant definition decommissioning, return to green field site, full demolition?

2:44:09 PM Atty Kurtz BREC - witness Heimgartner  
Note: Sacre, Candace Same LG&E East Cane Run decommissioned power plant, fully demolished, returned to green field site?

2:44:33 PM Atty Kurtz BREC - witness Heimgartner  
Note: Sacre, Candace EKPC Dale Station, same thing?

2:44:44 PM Atty Redding Henderson  
Note: Sacre, Candace Stipulate what in record is in record.

2:44:54 PM Atty Kurtz BREC - witness Heimgartner  
Note: Sacre, Candace Before Station Two, Station One?

2:45:03 PM Atty Kurtz BREC - witness Heimgartner  
Note: Sacre, Candace Along river in Henderson, small coal fired power plants - five megawatt, five megawatt, ten, and 26 megawatt boiler or turbine?

2:45:26 PM Atty Kurtz BREC - witness Heimgartner  
Note: Sacre, Candace Retired 2008, Station One?

2:45:36 PM Atty Kurtz BREC - witness Heimgartner  
Note: Sacre, Candace Today, brown field site, whole demolished?

2:45:51 PM Atty Kurtz BREC - witness Heimgartner  
Note: Sacre, Candace Agree under contracts, ash pond included part of definition Station Two?

2:46:30 PM Atty Kurtz BREC - witness Heimgartner  
Note: Sacre, Candace 1993 amendments, pg 5, defines Station Two 300 megawatt generating facility, Green River, owned by City, joint use facilities, recall definition?

2:47:10 PM Atty Kurtz BREC - witness Heimgartner  
Note: Sacre, Candace Exhibit 1, pg 1 of 3, 1993 amendments, joint use facilities provided by/owned by City on BREC property, one ash pond?

2:47:35 PM Atty Kurtz BREC - witness Heimgartner  
Note: Sacre, Candace Definition Station Two, includes joint use facilities provided by/owned by City, include ash pond?

2:47:52 PM Atty Kurtz BREC - witness Heimgartner  
Note: Sacre, Candace Willing to pay part decommissioning ash pond, 18.87 percent?

2:48:10 PM Atty Kurtz BREC - witness Heimgartner  
Note: Sacre, Candace BREC position decommissioning formula does not include 22.76 percent per 1993 amendments, BREC position v Henderson?

2:49:05 PM Atty Kurtz BREC - witness Heimgartner  
Note: Sacre, Candace 22.61 percent?

2:49:17 PM Atty Kurtz BREC - witness Heimgartner  
Note: Sacre, Candace Close to 22.76, depending on capacity reservation, different than 18.87 percent cited earlier?

2:49:38 PM Atty Kurtz BREC - witness Heimgartner  
Note: Sacre, Candace One difference, believe Webster Circuit Court decide decommissioning percentage, not Commission?

2:49:59 PM Atty Kurtz BREC - witness Heimgartner  
Note: Sacre, Candace Green Landfill, agree 1995 City 2.6 million tons scrubber sludge/ash pond dredgings Green Landfill to beginning Station Two 2.8 million tons Ciity waste?

2:50:44 PM Atty Kurtz BREC - witness Heimgartner  
Note: Sacre, Candace Green Landfill, City contesting BREC cost-based landfill rates 2015 to 2019. City believes \$1.78 2016-17 applied entire period, \$1.75 million adjustment Moll exhibits?

2:51:22 PM Atty Kurtz BREC - witness Heimgartner  
Note: Sacre, Candace Agree four-year period, cost-based rate for Green Landfill \$6.85 per ton?

2:51:38 PM Atty Kurtz BREC - witness Heimgartner  
Note: Sacre, Candace BREC charges City the same as charges itself?

2:51:49 PM Atty Kurtz BREC - witness Heimgartner  
Note: Sacre, Candace Not obligated put scrubber sludge, ash pond dredgings in Green Landfill. Elected dispose power plant waste elsewhere?

2:52:29 PM Atty Kurtz BREC - witness Heimgartner  
Note: Sacre, Candace Could have decided not use Green Landfill?

2:52:51 PM Atty Kurtz BREC - witness Heimgartner  
Note: Sacre, Candace Under contracts, could have disposed waste elsewhere. Big Rivers no making profit, why care?

2:53:10 PM Atty Kurtz BREC - witness Heimgartner  
Note: Sacre, Candace Sole owner, BREC you're fired?

2:53:32 PM Atty Kurtz BREC - witness Heimgartner  
Note: Sacre, Candace Second stage, ongoing storage costs, position owe nothing storage/maintenance costs 2.8 million tons power plant waste?

2:54:04 PM Atty Kurtz BREC - witness Heimgartner  
Note: Sacre, Candace When Green Landfill capped/retired, position not responsible for costs 2.6 and 2.8 million tons waste?

2:54:25 PM Atty Kurtz BREC - witness Heimgartner  
Note: Sacre, Candace How much agree responsible for?

2:54:52 PM Atty Kurtz BREC - witness Heimgartner  
Note: Sacre, Candace Ash pond dredgings also joint-use facility included definition Station Two?

2:55:09 PM Atty Kurtz BREC - witness Heimgartner  
Note: Sacre, Candace Same decommissioning cost formula?

2:55:28 PM	Atty Kurtz BREC - witness Heimgartner Note: Sacre, Candace	Of total?
2:55:37 PM	Atty Kurtz BREC - witness Heimgartner Note: Sacre, Candace	Not responsible for any green costs, taken out, whatever left over Station Two waste responsible 22.76 percent or 22.61 percent?
2:56:11 PM	Atty Kurtz BREC - witness Heimgartner Note: Sacre, Candace	Agree pay that amount or court force to pay?
2:56:31 PM	Atty Kurtz BREC - witness Heimgartner Note: Sacre, Candace	Dispute Commission jurisdiction?
2:57:20 PM	Atty Kurtz BREC - witness Heimgartner Note: Sacre, Candace	Legislature KRS 278.200 vested Commission with jurisdiction over issues?
2:57:37 PM	Atty Redding Henderson Note: Sacre, Candace	Note objection, citing statutes, determine jurisdictional issue, contested.
2:57:51 PM	Chairman Schmitt Note: Sacre, Candace	He's not attorney.
2:57:54 PM	Atty Kurtz BREC Note: Sacre, Candace	Withdraw.
2:57:58 PM	Atty Kurtz BREC - witness Heimgartner Note: Sacre, Candace	Aware two exhibits BREC contends City owes June 30 2020, two scenarios, decommissioning cost sharing percentage and retirement in place, City responsible 100 percent, look at exhibits?
2:58:37 PM	Atty Kurtz BREC - witness Heimgartner Note: Sacre, Candace	100 percent retire in place \$4.328 million, \$2.3 million lower figure. Commission orders City to pay \$2.3 or \$4.3 to Big Rivers, will City pay?
2:59:08 PM	Atty Redding Henderson Note: Sacre, Candace	Objection, not appropriate question.
2:59:13 PM	Chairman Schmitt Note: Sacre, Candace	Sustained.
2:59:35 PM	Atty Kurtz BREC - witness Heimgartner Note: Sacre, Candace	City refused to pay, Commission to Franklin Circuit Court compel obedience and Court agreed, would City comply court decision?
2:59:55 PM	Atty Redding Henderson Note: Sacre, Candace	Same objection.
2:59:56 PM	Chairman Schmitt Note: Sacre, Candace	Sustained, speculative, at least.
3:00:09 PM	Atty Kurtz BREC Note: Sacre, Candace	May be last question, is.
3:00:18 PM	Chairman Schmitt Note: Sacre, Candace	Mr. Nguyen?
3:00:20 PM	Asst Gen Counsel Nguyen PSC Note: Sacre, Candace	Couple.
3:00:23 PM	Asst Gen Counsel Nguyen PSC - witness Heimgartner Note: Sacre, Candace	Cross Examination. Review Berry rebuttal testimony?
3:00:50 PM	Asst Gen Counsel Nguyen PSC - witness Heimgartner Note: Sacre, Candace	Have with you?
3:01:30 PM	Asst Gen Counsel Nguyen PSC - witness Heimgartner Note: Sacre, Candace	Pg 21, line 14, read paragraph ends on pg 22, line 3? Reading. (Click on link for further comments.)
3:01:54 PM	Asst Gen Counsel Nguyen PSC - witness Heimgartner Note: Sacre, Candace	read ends on pg 22

3:03:05 PM	Asst Gen Counsel Nguyen PSC - witness Heimgartner Note: Sacre, Candace	Agree?
3:03:13 PM	Asst Gen Counsel Nguyen PSC - witness Heimgartner Note: Sacre, Candace	Why not?
3:04:23 PM	Asst Gen Counsel Nguyen PSC - witness Heimgartner Note: Sacre, Candace	Costs disposal Station Two waste Green Station Landfill, confirm Henderson approved/paid costs 2015 - 2017?
3:05:56 PM	Asst Gen Counsel Nguyen PSC - witness Heimgartner Note: Sacre, Candace	Bills submitted by BREC, City 2015-2017 not have issues, objections, contests bills issued by BREC to City Station Two waste Green Station Landfill?
3:06:55 PM	Asst Gen Counsel Nguyen PSC - witness Heimgartner Note: Sacre, Candace	After 2015-2017 period?
3:07:08 PM	Asst Gen Counsel Nguyen PSC - witness Heimgartner Note: Sacre, Candace	Explain City's long-term plan Station Two facilities, maintain retired-in-place state?
3:07:53 PM	Asst Gen Counsel Nguyen PSC Note: Sacre, Candace	All questions.
3:07:55 PM	Chairman Schmitt Note: Sacre, Candace	Commissioner Mathews?
3:07:59 PM	Commissioner Mathews Note: Sacre, Candace	Don't have any.
3:08:01 PM	Chairman Schmitt Note: Sacre, Candace	A couple. Status Henderson Utility Commission d/b/a Henderson Municipal Power and Light, witness may answer or Mr. Redding. Henderson Utility Commission separate legal corporate entity or bureau/subdivision City of Henderson for which City responsible?
3:08:38 PM	Atty Redding Henderson Note: Sacre, Candace	Do very best to answer. KRS 96.520 authority to act autonomous entity certain activities although City owner and appoint utility board to manage facility for City, best answer hybrid extension of City with autonomous authority under KRS 96.520.
3:09:16 PM	Chairman Schmitt Note: Sacre, Candace	Not a separate corporate entity? Reason I'm asking - finding or order applies to utility commission binding on City, or City's position on that? If prefer to brief, brief it, like to know.
3:09:59 PM	Atty Redding Henderson Note: Sacre, Candace	Like to look at that.
3:10:00 PM	Chairman Schmitt Note: Sacre, Candace	Address in brief.
3:10:07 PM	Chairman Schmitt Note: Sacre, Candace	Whatever you find. Utility commission able raise rates without approval of City council?
3:10:35 PM	Atty Redding Henderson Note: Sacre, Candace	Cannot, recommend, requires ultimate approval of City.
3:11:03 PM	Chairman Schmitt Note: Sacre, Candace	Redirect, Mr. Redding?
3:11:11 PM	Atty Redding Henderson Note: Sacre, Candace	No.
3:11:13 PM	Chairman Schmitt Note: Sacre, Candace	Case for Henderson?
3:11:17 PM	Atty Redding Henderson Note: Sacre, Candace	Yes,

3:11:18 PM	Chairman Schmitt Note: Sacre, Candace	Both sides rested. Staff requested items. Henderson requested application, permits. Must be document. Object or not, not permit post hearing. (Click on link for further comments.)
3:12:30 PM	Chairman Schmitt Note: Sacre, Candace	Objection order data requests filed/served end of day Monday, Oct 26? Two days long enough data requests?
3:12:55 PM	Asst Gen Counsel Nguyen PSC Note: Sacre, Candace	Yes.
3:12:56 PM	Chairman Schmitt Note: Sacre, Candace	Mr. Redding?
3:12:58 PM	Atty Redding Henderson Note: Sacre, Candace	Extend Tuesday, Oct 27?
3:13:16 PM	Chairman Schmitt Note: Sacre, Candace	Yes, Tues, Oct 27, any reason responses not served by Nov 2?
3:13:59 PM	Atty Kurtz BREC Note: Sacre, Candace	Fine with BREC.
3:14:05 PM	Chairman Schmitt Note: Sacre, Candace	All right, Mr. Redding?
3:14:08 PM	Atty Redding Henderson Note: Sacre, Candace	Yes,
3:14:17 PM	Chairman Schmitt Note: Sacre, Candace	Brief BREC, Henderson response, BREC short time reply, how much time?
3:15:22 PM	Atty Kurtz BREC Note: Sacre, Candace	BRED file brief one week after data responses Nov 9.
3:15:30 PM	Chairman Schmitt Note: Sacre, Candace	Mr. Redding, week long enough?
3:15:41 PM	Atty Redding Henderson Note: Sacre, Candace	Two weeks after Nov 9?
3:15:50 PM	Chairman Schmitt Note: Sacre, Candace	After responses filed, Nov 2, BREC two weeks brief, Henderson two weeks thereafter, BREC five days for reply.
3:16:30 PM	Atty Redding Henderson Note: Sacre, Candace	Henderson brief, December 1?
3:16:50 PM	Chairman Schmitt Note: Sacre, Candace	What, the 2nd?
3:17:08 PM	Atty Redding Henderson Note: Sacre, Candace	Asking Dec 1?
3:17:20 PM	Chairman Schmitt Note: Sacre, Candace	Henderson due Dec 1, correct?
3:17:38 PM	Atty Redding Henderson Note: Sacre, Candace	Yes.
3:17:39 PM	Chairman Schmitt Note: Sacre, Candace	BREC a week, Dec 7, and case stand submitted. Objections to schedule?
3:17:59 PM	Atty Kurtz BREC Note: Sacre, Candace	No.
3:18:00 PM	Atty Redding Henderson Note: Sacre, Candace	No.
3:18:00 PM	Asst Gen Counsel Nguyen PSC Note: Sacre, Candace	No.
3:18:02 PM	Chairman Schmitt Note: Sacre, Candace	Anything else?

3:18:13 PM	Asst Gen Counsel Nguyen PSC Note: Sacre, Candace	One second?
3:18:14 PM	Chairman Schmitt Note: Sacre, Candace	OFF THE RECORD.
3:18:40 PM	Chairman Schmitt Note: Sacre, Candace	Nothing else, adjourn.
3:18:54 PM	Session Ended	

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